

A circular black ink stamp from the Office of Intellectual Property (OIP). The text "OIP" is at the top, "JG:ISA" is at the top right, "FEB 20 2004" is in the center, and "PATENT &amp; TRADEMARK OFFICE" is at the bottom.

Date of Deposit

Name of applicant, assignee or  
~~Registered Representative~~

Signature

Signature \_\_\_\_\_  
Date of Signature February 17, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

[illegible]

Art Unit: 2878

Mail Stop Reissue  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:


Applicants hereby appeal to the Board of Appeals from the decision dated October 14, 2003 of the Examiner finally rejecting Claims 19 and 25-29. Applicants filed a Notice of Appeal on September 18, 2003 in response to the Final Office Action dated March 19, 2003 along with payment of fees required for the appeal. On October 14, 2003, the Examiner issued a second Final Office Action that withdrew the finality of March 19, 2003 Final Office Action due to the Examiner missing claims 25-29 and simultaneously, finally rejected claims 19 and 25-29. Accordingly, Applicants need to file a Second Notice of Appeal in response to the Final Office Action dated October 14, 2003. Since the filing of a Second Notice of Appeal is due to an omission made by the Examiner, Applicants request a waiver of fees required for this appeal. Should Applicants' request be denied, then the undersigned authorizes that his firm deposit account 23-1925 be charged for the Notice of Appeal fee.

The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection was granted on February 17, 2004 for (1) one month.
2. ☐ A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. ☐ Fee \$330.00 Other than a Small Entity  
☐ Enclosed  
☒ Not required (Fee paid with a first notice of appeal)  
☐ Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)  
☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: February 17, 2004

  
\_\_\_\_\_  
John C. Freeman  
Registration No. 34,483  
Attorney for Applicants

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